

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

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DONNA L. VEARA,

Plaintiff,

v.

CAUSE NO. 1:21-cv-126-TBM-RPM

SAFECO INSURANCE COMPANY OF  
ILLINOIS,

Defendant.

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**NOTICE OF REMOVAL**

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Safeco Insurance Company gives notice of removal of this action from the County Court of Harrison County, Mississippi, Second Judicial District to the United States District Court for the Southern District of Mississippi, Southern Division, under 28 U.S.C. §§ 1332, 1441, and 1446, and states as follows:

1. On February 23, 2021, Plaintiff filed a Complaint styled *Donna L. Veara v. Safeco Insurance Company of Illinois*, Cause No. D2402-21-96, in the County Court of Harrison County, Mississippi, Second Judicial District.
2. Plaintiff alleges she was traveling west on the I-10 ramp in Harrison County, Mississippi when she was struck in the rear by Peter J. Murdoch. *Complaint ¶ 5*. Plaintiff alleges she suffered physical pain and suffering, including loss of enjoyment of life, medical expenses, loss of wages, mental anguish and emotional distress. *Complaint, ¶ XIII.*
3. “[A]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such

action is pending.” 28 U.S.C. §1441(a). Pursuant to 28 U.S.C. §1332(a), “The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States . . .”

4. This is an action over which this Court has original jurisdiction under 28 U.S.C. § 1332, and may therefore be removed to this Court under 28 U.S.C. § 1441. Complete diversity exists between the parties.

5. Plaintiff is a Mississippi resident and lives in Jackson County, Mississippi.

6. Safeco Insurance Company of Illinois is incorporated in the State of Washington. It maintains its principal place of business in Seattle, Washington. Therefore it is a resident citizen of the State of Washington.

7. The Plaintiffs’ damages as alleged in the Complaint exceed the jurisdictional minimum of \$75,000. *Complaint ¶¶ XI, XII.*

8. As described hereinabove, Plaintiff is resident citizen of Mississippi, and Defendant is a resident citizen of another state. Plaintiff seeks damages that exceed \$75,000. As such, diversity jurisdiction is satisfied.

9. Therefore, this Court has original jurisdiction over the matter and Defendant may remove the state claim to this Court under 28 U.S.C. §1441.

10. A Notice of Removal must be filed “within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading set forth the claim for relief upon which such action or proceeding is based . . .” 28 U.S.C. §1446(b)(1). The removal requirements of 28 U.S.C. § 1446 are satisfied because the Defendant was served with the

Complaint on some date on or after March 15, 2021, and has filed this Notice of Removal within 30 days of service.

11. The attached true and correct copy of Plaintiff's Complaint is attached hereto pursuant to 28 U.S.C. § 1446(a). Further, a certified copy of the complete state court file from the County Court of Harrison County has been requested with Local Rule 5(b) and will be filed with this Court upon receipt.

12. For the reasons explained above, this case is removable pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441 and the requirements of 28 U.S.C. § 1446 have been met.

13. Venue of this removed action is proper under 28 U.S.C. § 1441(a) because this Court is the United States District Court for the district embracing the place wherein the removed action is pending: the County Court of Harrison County, Mississippi, Second Judicial District.

14. Contemporaneous with the filing of this Notice of Removal, a copy of this Notice is being filed with the Clerk of the County Court of Harrison County, Mississippi, Second Judicial District and is being served upon all counsel of record.

15. By filing this Notice of Removal, Defendant does not waive any defenses which may be available to them.

**WHEREFORE, PREMISES CONSIDERED**, Defendant, Safeco Insurance Company of Illinois, respectfully prays that this action be removed to the United States District Court for the Southern District of Mississippi.

Respectfully submitted this, the 13<sup>th</sup> day of April, 2021.

**SAFECO INSURANCE COMPANY OF  
ILLINOIS**

By: /s/ Paul P. Blake  
PAUL P. BLAKE  
BEN WOODHOUSE

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*Attorneys for Safeco Insurance Company*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon all counsel of record by ECF filing to:

Susan D. Sanich  
Morris Bart, LTD  
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This the 13<sup>th</sup> day of April, 2021.

/s/ Paul P. Blake  
PAUL P. BLAKE